

January 10, 2008

U.S.D.J. Richard J. Holwell
United States District Court
Southern District of New York
United States Courthouse
Room 1950
500 Pearl Street
New York, New York 10007-1312

Re: Sonia Urriola v. Guidant Corporation, et. al.
U.S. DC Docket No.: 07-CV-10591 (RJH DSE)

Dear Justice Holwell:

I write this letter in response to that of Kimberly S. Penner, Esq. dated January 7, 2008. Ms. Penner omits from her letter that a Stipulation was entered into by and among all the attorneys for all parties which extended Plaintiff's time to respond to and/or cross move with regard to their Motion Seeking a Stay pending the transfer of this matter until January 21, 2008. The Conditional Transfer Order is part of the same application to the Court and thus Plaintiff's position is that the time to object was similarly extended.

In addition to that Stipulation extending the Plaintiff's time to respond to Defendants' Motion, which a Conditional Transfer Order is a part of, Plaintiff made a Motion to Remand prior to December 27, 2007 the date that Defendants allege was Plaintiff's deadline. This Motion was made within the statutory period of time to return this matter to State Court, and in and of itself embodies an objection to Defendants' attempts to transfer this matter to the MDL.

As this matter is currently pending before Your Honor it is respectfully requested that this matter be heard in the Southern District.

If we can be of any further assistance with this matter, please let us know.

Respectfully submitted,

Bonina & Bonina, P.C.

By: _____
Amy Insler, Esq.

AI:mg

cc:

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